10 COURT FEE भारत INDIA दस रुपये TEN RUPEES CANCELLED

5 COURT FEE भारत INDIA पाँच रुपये FIVE RUPEES

12152
(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

M.C.C. NO. 123 /2005

SINGLE BENCH

IN THE MATTER OF :-

W.P. NO.1956/2005 BETWEEN

PETITIONER: **MANSUKH DAS AGARWAL**

VERSUS

RESPONDENTS: **PREMCHAND AGARWAL & ORS**

APPLICANT: Mansukhdas Agarwal, son of Late Seth Laxminarayan Agarwal, aged about 43 years, resident of Near Aama Talab, Ramkund, Raipur.

P.R. No. 1679/05
Presented by Shri B.P. Sharma
dated 23/6/05

VS

RESPONDENTS

1. Premchand Agarwal, son of Late Shyamlal Agarwal, resident of Charoda, District Durg (C.G.)
2. Smt. Pramila Agarwal, wife of Shri Kailash Chand Agarwal, resident of Charoda, District Durg.
3. Omprakash Agarwal, son of Late Narsingh Lal Agarwal
4. Smt. Geeta Agarwal, wife of Shri Tekchand Agarwal.

   No.3 & 4 through Shri Premchand Agarwal, son of Late Shyamlal Agrawal, resident of Bus Stand, Charoda, District Durg.
5. Mst. Smt. Saraswati Devi, wife Late Mohanlal Agarwal.
6. Smt. Ashalata Agarwal, daughter of Late Mohanlal Agarwal.

   No.5 & 6 are residents of

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शपथ आयुक्त बिलासपुर तहसील कोर्ट बिलासपुर (छ.ग.)

(4)

House No.239, Ward No.14, Indira Gandhi Ward, Lodhipara, Station Road, Raipur.

7. Madanlal Agarwal, son of Late Seth Laxminarayan Agarwal, aged about 62 years, Proprietor- Agarwal Medical Stores, Bus Stand, Charoda (B.M.Y.), District Durg.
8. Goverdhandas Agarwal, son of Late Seth Laxminarayan Agarwal, aged about 56 years.
9. Purshottam Agarwal, son of Late Seth Laxminarayan Agarwal, aged about 50 years.
10. Tansukhdas Agarwal, son of Late Seth Laxminarayan Agarwal, aged about 45 years.

    No.8 to 10 are residents of House No.239 Indira Gandhi Ward No.14, Lodhipara, Station Road, Durg

11. Smt. Munnidevi Agarwal, wife of Shri Sevakram Agarwal, resident of Boring Chowk, Ramnagar, Raipur.
12. Smt. Savitri Devi, wife of Shri Murarilal Agarwal, resident of Kursipaar, Post Atri Via Kherlouji, District Balaghat (M.P.0
13. Kunjilal Bajaj, son of Late Hariram Bajaj, Near Jwala Flour Mill, Hanuman Ganj, District Katni (M.P.)
14. Jugalkishore Kedia, son of Late Kanhaiyalal Kedia,

(5)

Gandhi Chowk, Balodabazar, District Raipur.

15. Dr. Mukesh Agarwal @ Shri Santosh Agarwal, son of Shri Madanlal Agarwal, Director-Abha Nursing Home, Bus Stand, Charoda, Durg.
16. State of M.P. (Now State of Chhattisgarh), through the Collector, Raipur.

APPLICATOIN FOR RESTORATION OF THE PETITION

(12)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ....M.C.C.123/... **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	7-9-2005 Mr. B.P. Sharma, counsel for the petitioner. Mr. Parag Kotecha, Panel Lawyer for the State of Chhattisgarh. Heard both the counsel. The petitioner's petition (W.P.No.1956/2005) was dismissed for non-prosecution on 13-6-2005 by this Court, as none was present on behalf of the petitioner. Mr. Sharma, learned counsel for the petitioner argued that, that day (13-6-2005) was the first day after re-opening of the Court after summer vacation and he was out of station, by the time he reached to the Court, the matter was dismissed and even his junior could not reach the Court to appear before the Court. In the circumstances, the absence of counsel for the petitioner was not intentional, as such, the petitioner should not be punished for the absence of the counsel. Having heard learned counsel for the petitioner, having regard to the facts and circumstances of the case and for the reasons mentioned in the M.C.C., this application (M.C.C.) is allowed. The petition be restored to its original number. **Sd/-** **L.C. Bhadoo** **Judge**	

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